

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.553 of 2018

In
Civil Writ Jurisdiction Case No.15012 of 2018

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UCO Bank, a body corporate constituted under the Banking Companies (Acquisition and transfer of Undertaking) Act. 1970 having its Head Office at 10 BTM Sarani, Kolkata- 700001 and having its Zonal Office at Mauryalok Complex, P.S.-Kotwali, District-Patna, represented through its Zonal Manager.

... .. Petitioner

Versus

1. Sujata Vishwakarma, D/o Anand Kumar Vishwakarma, resident of Tungri (Near Kabrishtan) Chaibasa, Pashchimi Singhbhum, Jharkhand Pin-833201, At present Sujata Vishwakarma, W/o Kaushal Kant, QTR - DT - 273, P.O. - Dhurwa, District-Ranchi - 834004.
2. Chief Managing Director, UCO Bank, Head Office, Human resources Management Department, 1st Floor, 10, BIMSARANI, Kolkata-700001.
3. Circle Head, UCO Bank, Maurya Lok, Patna
4. Deputy Zonal Manager, UCO Bank, Maurya Lok, Patna
5. Branch Manager, Piri Bazar, Railway Station-Abhaypur, District-Lakhisarai- 811112.

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Ms. Sheela Sharma, Advocate
		Mr. Shivendra Kumar Roy, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 16-10-2019

Ref:- Interlocutory Application No. 9316 of 2018

For the reasons stated in the application, the delay of 32 days in filing the Review Petition is hereby condoned.

Accordingly, this Interlocutory Application is allowed.



Order in Review Petition.

Heard learned counsel for the parties.

This petition has been filed for reviewing the judgment and order dated 04.10.2018 passed by this Court in C.W.J.C. No.15012 of 2018.

During the argument, learned counsel for the petitioner-Bank has placed reliance on Regulation - 37 of the UCO Bank Officers Service Regulations, which reads as under:-

“37. Extra-ordinary leave

An Officer shall be eligible for extra-ordinary leave on loss of pay for not more than 360 days during the entire period of service. Such leave may not be availed of except sufficient reason for more than 90 days at a time.

Provide that in very special circumstances, the Board may grant extra-ordinary leave on loss of pay to an Officer up to a total period of 720 days.

37.(a) An Officer may be granted Special Casual Leave and any special leave as may be decided by the Board in accordance with the guidelines of the Govt.”

From perusal of the aforesaid Regulation, it appears that the maximum limit of extra-ordinary leave, an employee can avail, is 720 days and not beyond that, but if an employee remained absent beyond that period, may invite



disciplinary proceeding but, that does not mean that if he/she reports the duty, he/she will not be allowed to join the duty. After the joining, the Bank is at liberty to take action in accordance with law.

This Court does not find any error apparent on face of record. Accordingly, this review petition is dismissed with the aforesaid observations.

(Shivaji Pandey, J)

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